



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,913	10/13/2004	Chia-Tsui Lan	112.P77093	5912
43831	7590	10/16/2007		
BERKELEY LAW & TECHNOLOGY GROUP, LLP 17933 NW Evergreen Parkway, Suite 250 BEAVERTON, OR 97006			EXAMINER LIANG, LEONARD S	
			ART UNIT	PAPER NUMBER
			2853	
			MAIL DATE	DELIVERY MODE
			10/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/711,913

Applicant(s)

LAN, CHIA-TSUI

Examiner

Leonard S. Liang

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2007 and 19 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) 12 and 13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-11, and 25-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

10/12/07
LSL

DETAILED ACTION

Election/Restrictions

The applicant's response to election/restriction filed on 05/23/07 has been noted. Claims 1-5, 7-11, and 25-33 will herein be examined.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

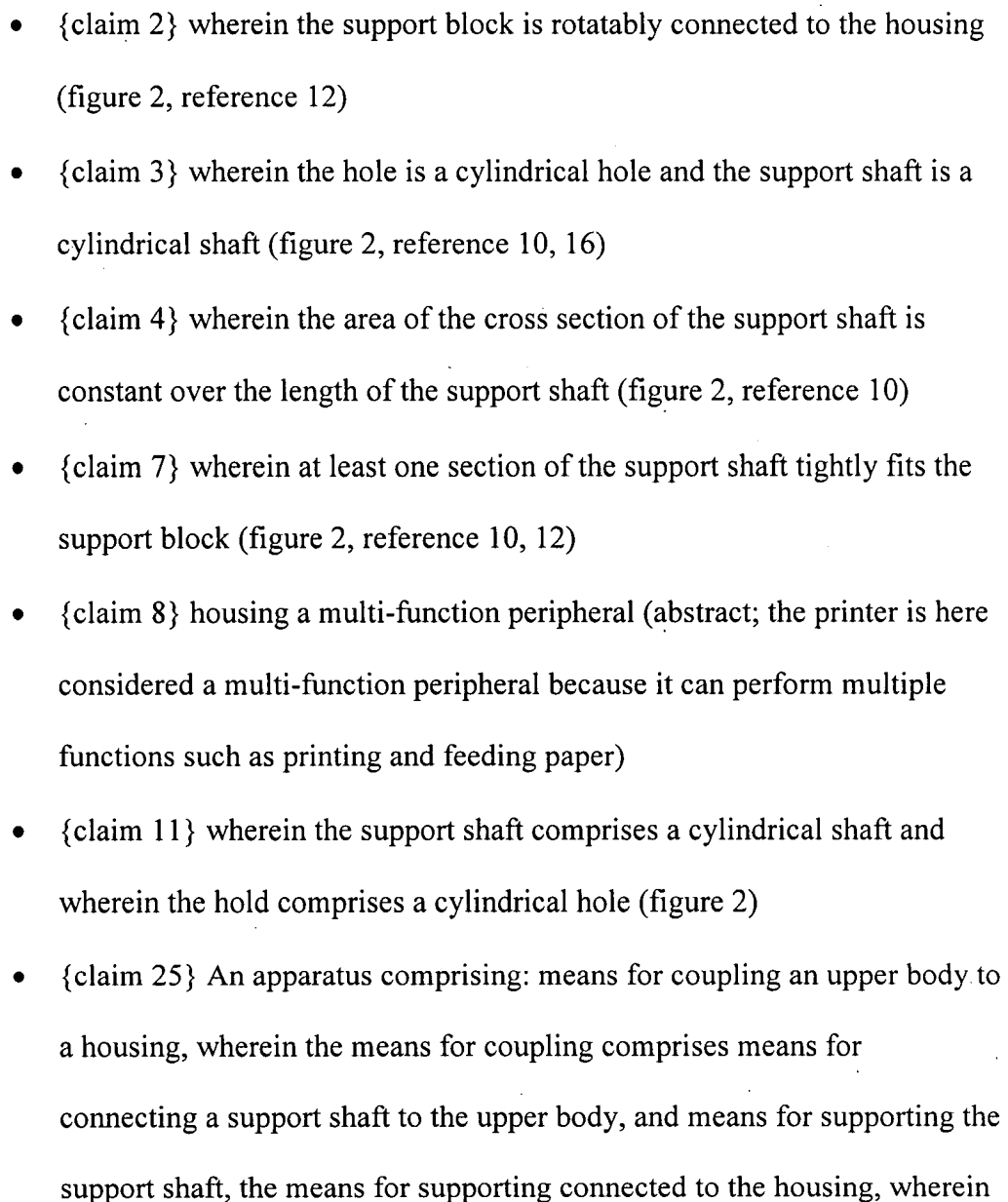
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 7-8, 11, and 25-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Miyasaka et al (US Pat 4330219).

Miyasaka et al discloses:

- {claim 1} A machine body (figure 2); a housing (figure 2); an upper body capable of being positioned at a range of angles relative to the housing (figure 2, reference 1); and a hinge (figure 2, reference 5) comprising a support shaft (figure 2, reference 10) connected to the upper body; and a support block (figure 2, reference 12) connected to the housing, the support block comprising a hole (figure 2, reference 16), and the support shaft passing through the hole (figure 2, reference 10) and capable of moving up and down along the hole (column 1, lines 43-47)



Art Unit: 2853

the means for supporting defines a hole, the support shaft passing through the hold and capable of moving through the hole, wherein the upper body is capable of being positioned at any of a range of angles relative to the housing due to friction between the means for supporting and the support shaft (figure 2)

- {claim 26} further comprising means for rotatably connecting the means for supporting to the housing (figure 2)
- {claim 27} wherein the hole comprises a straight hole and the support shaft comprises a straight shaft (figure 2)
- {claim 28} wherein the hole comprises a straight cylindrical hole and the support shaft comprises a straight cylindrical shaft (figure 2)
- {claim 29} wherein the area of the cross section of the support shaft is constant over the length of the support shaft (figure 2)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 10, and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyasaka et al (US Pat 4330219) in view of Clements (US Pat 2148014).

Art Unit: 2853

Miyasaka et al discloses, with respect to claims 5, 10, and 30-31, a machine body (as applied to claim 1 above).

Miyasaka et al differs from the claimed invention in that it does not disclose that the material of the support block comprises rubber, nor does it disclose that the material of the support block comprises polyurethane rubber.

Clements discloses a hinge member fixed to a shaft, which contains a block of rubber (column 3, lines 21).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Clements into the invention of Miyasaka et al. The motivation for the skilled artisan in doing so is to gain the benefit of absorbing shock (column 3, lines 20-21). The combination naturally suggests that the rubber is polyurethane rubber, since polyurethane rubber is a very kind of rubber.

Claims 9 and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyasaka et al (US Pat 4330219) in view of Johnson et al (US Pat 6563598).

Miyasaka et al discloses, with respect to claims 9 and 32-33, a machine body (as applied to claim 1 above), wherein the machine body houses a printer (abstract).

Miyasaka et al differs from the claimed invention in that it does not disclose that the machine body houses a scanner or a multi-function peripheral.

Johnson et al discloses, with respect to claims 9 and 32-33, a multi-function peripheral machine body that houses both a scanner and a printer (abstract).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Johnson et al into the invention of

Art Unit: 2853

Miyasaka et al. The motivation for the skilled artisan in doing so is to gain the benefit of obtaining a scanning function.

Response to Arguments

Applicant's arguments filed 05/23/07 and 01/19/07 have been fully considered but they are not persuasive.

The applicant argues, "However, there is no disclosure of an upper body capable of being positioned at any of a range of angles relative to a body due to friction between a support shaft and a support block, as claimed in the present application. In various embodiments disclosed in the present application, the friction forces provided by a tight fitting support shaft are used to statically position an upper body at any of a range of angles. No such principle is taught in Miyasaka."

The examiner respectfully disagrees. There are inherently friction forces between the support shaft and the support block. Furthermore, the upper body is clearly disclosed as capable of being positioned at any of a range of angles, as shown in figure 2 and the abstract. While it is true that the upper body is not being positioned exclusively by friction force (i.e. a spring assists in the process), this does not change the fact that the friction force does play a role in the positioning of the upper body. The claim limitations do not exclude the assistance of the spring in addition to friction force.

Conclusion

Art Unit: 2853

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonard S. Liang whose telephone number is (571) 272-2148. The examiner can normally be reached on 8:30-5 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2853

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

10/12/07
LSL LSL



STEPHEN MEIER
SUPERVISORY PATENT EXAMINER